

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

Senate Bill 121

BY SENATOR SYPOLT

[Introduced January 12, 2022]

- 1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §30-6-22b, relating to barring a person who has been charged with willfully
3 and intentionally causing the death of another by a criminal complaint, indictment, or a
4 child abuse petition from participating in or planning the funeral or burial of the deceased.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. BOARD OF FUNERAL SERVICE EXAMINERS.

§30-6-22b. Barring certain persons from participating in or planning the funeral or burial of another.

- 1 A person who has been criminally charged by complaint or indictment, or by a child abuse
2 petition, alleging aggravated circumstances under Chapter 49 of this code, with willfully or
3 intentionally causing the death of another person may not participate in or plan the funeral or
4 burial of the deceased. The prohibition created by this section may be waived, in whole or in part,
5 by order of the circuit court of the county in which the criminal charge or petition is pending for
6 good cause shown.

NOTE: The purpose of this bill is to prohibit any person who is alleged to be criminally responsible for the death of a relative from being involved in the decedent's burial arrangements.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.